

PATENT APPLICATION

IN THE UNITED STATES PATENT OFFICE

In re: Application of **LUBATSCHOWSKI *et al.*** Confirmation No. **8168**  
Application No. **10/764,311** Examiner: **FARAH, Ahmed M.**  
Date Filed: **January 23, 2004** Group: **3769**  
Att'y Docket No.: **3968.106**  
For: **CONTROL DEVICE FOR SURGICAL LASER**

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AMENDMENT D

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Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

These amendments and remarks are being filed in response to the Office Action mailed January 23, 2009. This Amendment is accompanied by credit card authorization for the Commissioner to charge the \$555 small entity fee for a retroactive three month extension of time. Although no additional fees are believed due, the Commissioner is hereby authorized to charge any deficiency or credit any surplus to Deposit Account No. 14-1437. Please amend the above-identified application as follows:

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 6 of this paper.